GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Subordinate Judiciary - Disciplinary proceedings against Sri N.Venkata Rao, Superintendent., (Retd), Additional Judicial Magistrate of First Class Court, Narasapur, West Godavari District – Charges held Proved – Imposing penalty of withholding of 20%(Twenty Percent) of pension for 5 (Five) years, under Rule 9 of the Andhra Pradesh Revised Pension Rules,1980 - Orders – Issued.

HOME (COURTS-B) DEPARTMENT

G.O.MS.No.61 Dated.11-03-2019

Read the following:

1. Letter Roc No.1541/2018, Vig (Cell) dt.14.06.2018 from the Registrar General (FAC), Registrar (Vig), High Court of Judicature at Hyderabad.
2. Memo No.Homo 1-24026/10/Courts.B/18, dated 25-07-2018.
3. From the Registrar General, FAC Registrar (Vigilance), Letter No.1541/2018 Vigilance Cell, dated 27-09-2018 along with the Explanation of Sri N.Venkata Rao, Superintendent., (Retd) Additional Judicial Magistrate of First Class Court, Narasapur, West Godavari District.
4. Govt. Letter No.1594/Courts.B/2018, dated 18.12.2018.
5. From the Secretary, Andhra Pradesh Public Service Commission, Letter No.885/DC&C/2018, dated 31.12.2018.

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ORDER :

Whereas, the Registrar (Vigilance), High Court of Andhra Pradesh, in the letter 1st read above, has stated that two regular departmental enquiries were conducted under the provisions of the Andhra Pradesh Civil Services Rules, 1991 against Sri N.Venkata Rao, Superintendent., Additional Judicial Magistrate of First Class Court, Narasapur, West Godavari District and later retired from service on 30.09.2016, for the following Articles of charges framed against him.

1. Departmental Enquiry No.13/2016
Article of Charge:

That while Sri N.Venkata Rao was working as Superintendent in Junior Civil Judge's Court, Chintalapudi disobeying the orders passed by the Presiding Officer, giving false information, mismanaging the office, leaving the office without prior permission, not available in the office when called and discharging his duties negligently as reported by the Junior Civil Judge, Chintalapudi, which not only constitutes dereliction of duty but also amounts to lack of devotion to duty as contemplated under Rule 3 of Conduct Rules, punishable under A.P.C.S. (C.C.A) Rules, 1991.

2. **Case No.D.E.14/2016**
Article of Charges:-

(i) That while Sri N.Venkata Rao was working as Superintendent in junior Civil Judge's Court, Chintalapudi, being the Superintendent he did not take steps for complying the objections taken by the District Court, Eluru and to re-submit 23 PRC Records which were returned by the District Court, Eluru from 21-03-2014 onwards to the Court of Sessions as reported by the Junior Civil Judge, Chintalapudi, which not only constitutes dereliction of duty but also amounts to lack of devotion to duty as contemplated under Rule 3 of Conduct Rules, punishable under A.P.C.S. (C.C.A) Rules 1991".

(P.T.O)

(ii) That even though Sri N. Venkata Rao, Superintendent specifically instructed by the District Court to clear off the arrears left over by him in Junior Civil Judge's Court, Chintalapudi, after effecting transfer to Addl.Judicial Magistrate of I Class Court, Narsapur from Junior Civil Judge's Court, Chintalapudi, he did not clear off the arrear work including not taking steps in complying the objections and to re-submit the 23 PRC Records to the Court of Sessions, which not only constitutes dereliction of duty but also amounts to lack of devotion to duty as contemplated under Rule 3 of Conduct Rules, punishable under A.P.C.S (C.C.A) Rules 1991.

(iii) That having received the disciplinary proceedings in the matter Sri N.Venkata Rao, Superintendent neither take any steps to comply the objections and to re-submit the PRC Records to the Court of Sessions nor submitted any explanation so far, which not only constitutes dereliction of duty but also amounts to lack of devotion to duty as contemplated under Rule 3 of Conduct Rules, punishable under A.P.C.S (C.C.A) Rules 1991.

2. And whereas, the Registrar (Vigilance), while forwarding the entire record /material, has stated that during the enquiry, the above charges are held "proved" and requested the Government to pass final orders against Sri N.Venkata Rao, Superintendent., (Retd) Additional Judicial Magistrate of First Class Court, Narasapur, West Godavari, as the Government is competent to pass final orders in respect of retired employees, under Rule 9 (2) (a) of the A.P. Revised Pension Rules, 1980.

3. And whereas, Government have examined the matter and provisionally decided to impose a penalty of withholding 20% (Twenty Percent) of Pension for a period of 5 (Five) years on Sri N.Venkata Rao, Superintendent., (Retd) Additional Judicial Magistrate of First Class Court, Narasapur, West Godavari District, under Rule 9(2)(a) of the Andhra Pradesh Revised Pension Rules, 1980, for the charges held proved against him.

4. And whereas, in the Government Memo 2nd read above, the charged officer was directed to Show Cause as to why the punishment mentioned in para (3) above shall not be imposed on him for the charges held proved against him.

5. And whereas, Sri N.Venkata Rao, the charged employee has submitted his explanation, vide letter 3rd read above, denying the charge levelled against him.

6. And whereas, Government after considering the explanation of the charged officer with reference to the records made available, have decided to confirm the provisional decision of imposing the penalty and accordingly the Secretary, Andhra Pradesh Public Service Commission was requested to place the matter before the Commission for its concurrence on the decision of the Government, vide letter 4th read above.

7. And whereas, the Secretary, A.P. Public Service Commission, in response to the correspondence has communicated the concurrence of the APPSC, vide letter 5th read above, wherein the commission agreed with the proposal of the Government to impose the said penalty on the charged employee.

8. Now, therefore, the Government after careful examination of the entire matter, hereby impose a penalty of "withholding of 20% (Twenty Percent) of Pension for a period of 5 years" on the charged employee Sri N.Venkata Rao, Superintendent., (Retd) Additional Judicial Magistrate of First Class Court, Narasapur, West Godavari District, under rule 9(2)(a) of the Andhra Pradesh Revised Pension Rules, 1980, for the charges held proved against him.

(Contd...3)

9. Copy of the letter 5th read above, received from the Secretary, Andhra Pradesh Public Service Commission, is furnished herewith to Sri N.Venkata Rao, Superintendent., (Retd) Additional Judicial Magistrate of First Class Court, Narasapur, West Godavari District, as required under Rule-23 of the Andhra Pradesh Civil Services (C.C.& A.) Rules, 1991.

10. The Registrar (Vigilance), High Court of Andhra Pradesh, is requested to take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DUPPALA VENKATA RAMANA
SECRETARY TO GOVERNMENT
LEGAL, LEGISLATIVE AFFAIRS & JUSTICE

To
The Registrar (Vigilance), High Court of Andhra Pradesh, C.M Camp Office Premises, Vijayawada.
The District Judge, Eluru, West Godavari District.
The individual through the Registrar (Vigilance), High Court of Andhra Pradesh, C.M Camp Office Premises, Vijayawada.
Copy to:
The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.
The Accountant General, Andhra Pradesh, Hyderabad.
The Pay and Accounts Officer, Andhra Pradesh, Vijayawada.
The District Treasury Officer, Eluru, West Godavari District.
The Law (C) Department.
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER